

## GIRLS, STATUS OFFENSES AND THE NEED FOR A LESS PUNITIVE AND MORE EMPOWERING APPROACH

### I. BACKGROUND

In 2009, more than 140,000 status offense cases were petitioned to family and juvenile courts across the United States.<sup>i</sup> Status offenses are acts not deemed criminal when committed by adults, but that carry juvenile court sanctions for youth who are under the state's legal age of majority as defined by state statute.<sup>ii</sup> Commonly charged status offenses include truancy, running away, curfew violations, behaviors that are considered ungovernable, incorrigible, or beyond the control of one's parents (hereinafter "ungovernable"), and underage liquor law violations.

Among the thousands of status offense cases petitioned to the courts every year, a

disproportionate number of them are brought against girls. In 2009, girls accounted for almost 50% of all status offense cases petitioned to the courts, as compared to 28% of all delinquency cases.<sup>iii</sup>

Moreover, the rate at which girls are petitioned to the courts for a status offense has outpaced that of boys. Between 1995 and 2009, the number of petitioned cases for curfew violations for girls grew by 23% vs. only 1% for boys.<sup>iv</sup>

The number of petitioned cases for liquor law violations for girls grew by 41% vs. only 6% for boys.<sup>v</sup> During that same period, the number of petitioned runaway cases for girls decreased by 25%, yet girls still comprised 58% of all petitioned runaway cases in 2009.<sup>vi</sup> In

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### WHAT IS THE SOS PROJECT?

The CJJ "Safety, Opportunity & Success (SOS): Standards of Care for Non-Delinquent Youth Project" ("SOS Project") engages multiple stakeholders to guide states in implementing strategies that divert non-delinquent youth from juvenile courts and locked confinement to connect them to family- and community-based systems of care that can more effectively meet their needs.

### WHY IS IT NEEDED?

Since 1974, the Deinstitutionalization of Status Offenders (DSO) core requirement of the federal Juvenile Justice and Delinquency Prevention Act (JJDP) has prohibited the incarceration of youth charged with status offenses. Research reveals that placing youth who commit status offenses in locked detention facilities jeopardizes their safety and well-being, and may actually increase their likelihood of committing unlawful acts.<sup>1</sup> Since 1984, however, the Valid Court Order (VCO) exception to the DSO core requirement has allowed detention of adjudicated status offenders if they violate a direct order from the court. Almost half of the U.S. states and territories prohibit use of the VCO exception in statute or do not actively use the exception. Still, each year the VCO exception contributes to the locked detention of thousands of non-delinquent youth.

addition, the truancy case rate for girls was higher than the rate for all other status offense categories.<sup>vii</sup>

Once an arrest is made or a petition is filed, girls are also detained for status offenses at a disproportionate rate as compared to boys. In a 2010 national census of youth in custody, girls comprised 16% of all detained youth but 40% of those were detained for a status offense.<sup>viii</sup> At one time and in some states, girls comprised more than 70% of youth detained for status offenses.<sup>ix</sup>

These statistics beg the question, “Why are girls so much more likely than boys to be petitioned and incarcerated for a status offense?” This brief explores the complex answer to this question, and previews steps that can be taken to unravel, understand, and better address the complex needs of girls who engage in status offense behaviors.

## II. HOW DIFFERENT EXPECTATIONS OF GIRLS LEAD TO A DOUBLE STANDARD

The differential treatment girls receive at the hands of the courts is not a new phenomenon. The first juvenile court, founded in 1899, defined “delinquent” as anyone under age 16 who had violated a city ordinance or law.<sup>x</sup> As applied to girls, however, the

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court included incorrigibility, associations with immoral persons, vagrancy, frequent attendance at pool halls or saloons, other debauched conduct, and use of profane language in its definition.<sup>xi</sup> Thus, from the beginning, the very system that was set up to rescue youth from the harshness of the adult system

also put girls at greater risk of being adjudicated and confined within the juvenile system, based largely on genderized norms that sought to define acceptable and unacceptable behavior for girls.

More than 100 years later, this double standard persists. Data culled from the Annie E. Casey Foundation’s Juvenile Detention Alternative Initiatives (JDAI) and other relevant research suggest several reasons why modern-day actors within the juvenile system continue to take a more invasive and more restrictive stance towards girls who engage in status offense behaviors than they do boys. These reasons include but are not limited to:

- A paternalistic attitude among decision-makers towards girls, driven by a belief that girls need to be protected from themselves and victimization by others;
- A comfort, even if an uneasy comfort, with using locked confinement to access services for girls with significant needs; and
- A deeply held belief that girls are or should be “sugar and spice and everything nice,” which engenders intolerance of girls who are non-cooperative and non-compliant.<sup>xii</sup>

The aforementioned attitudes are not limited to juvenile system actors. Schools, parents, and guardians are active referral sources for status offense petitions brought against both girls and boys. In 2009, schools referred 57% of all truancy cases, and parents/guardians referred 42% of all ungovernability cases.<sup>xiii</sup> The research illuminates a biased and disempowering continuum. Parents and schools – disappointed, frustrated, or alarmed by behaviors that depart from a genderized norm – push girls into the juvenile system in an effort to get them to comply with the norm. In turn, the juvenile system, typically by

## NEED FOR GENDER-RESPONSIVE SERVICES

Juvenile justice system professionals should understand the developmental, behavioral, and social differences between boys and girls and how their service needs are accordingly different. They should make gender-responsive choices regarding interventions, treatment, and services before, during, and following court involvement.

Research shows that boys are more likely than girls to be arrested and prosecuted in juvenile court, and that girls are more likely to be arrested for status offenses.<sup>1</sup> While girls and boys in the juvenile justice system come from all different family types and socioeconomic backgrounds, girls are more likely to enter the delinquency system if they:

- Are living in poverty;
- Have been exposed to domestic violence and/or substance abuse;
- Have a history of running away;
- Have experienced sexual, physical, and/or emotional abuse;
- Feel disconnected from school or have experienced academic failure; or
- Have mental health and substance abuse issues.<sup>2</sup>

Research has shown that there are specific protective factors that may make girls less likely to commit offenses, including support from a caring adult, succeeding and/or feeling connected to someone in school, and religiosity.<sup>3</sup> School connectedness, family support, and positive social activities have been found to be protective factors for both boys and girls.<sup>4</sup>

For more information on how agencies and courts who work with status offenders can be gender responsive please contact Marie Williams, CJJ Interim Executive Director at [Williams@juvjustice.org](mailto:Williams@juvjustice.org).

<sup>1</sup> U.S. Department of Health and Human Services' Office of the Assistant Secretary for Planning and Evaluation (2008). "Fact Sheet: Juvenile Delinquency" from "What Challenges Are Boys Facing, and What Opportunities Exist To Address Those Challenges?" available at <http://aspe.hhs.gov/hsp/08/boys/FactSheets/jd/report.pdf>.

<sup>2</sup> Zahn, M, et al. (2010) "Causes and Correlates of Girls' Delinquency." Girls Study Group. Available at <https://www.ncjrs.gov/pdffiles1/ojdp/226358.pdf>.

<sup>3</sup> Hawkins S. R., et al (2009) "Resilient Girls—Factors That Protect Against Delinquency" Girls Study Group available at <https://www.ncjrs.gov/pdffiles1/ojdp/220124.pdf>. (for this study "delinquent behavior" was defined to include status offenses (truancy and unruliness), gang membership, selling drugs, serious property offenses and assault).

<sup>4</sup> Ibid.

way of the courts, uses increasing degrees of incapacitation to curtail girls' behavior in an attempt to reinforce the genderized norm. All the while, girls' individual struggles, personalities, needs, and attributes are overlooked, de-emphasized, or dismissed.

## III. DEFIANCE OR SELF-DEFENSE?

Girls who come into contact with the courts are disproportionately victims of physical and sexual abuse. As far back as the early 1900s, records show that 70% of the girls who were institutionalized were victims of incest.<sup>xiv</sup> These days, girls in the system may be three times more likely than boys to have been sexually abused.<sup>xv</sup> In a study of girls adjudicated in South Carolina, 69% reported being abused by a caregiver, 42% reported experiencing dating violence, and 81% reported being victims of sexual violence.<sup>xvi</sup> Similarly, a study of girls and young women incarcerated in the California Youth Authority found that 66.7% reported ongoing physical abuse and 44.7% experienced sexual abuse.<sup>xvii</sup>

Incidents of physical or sexual abuse are particularly high among girls who run away from home. According to statistics, 46% of runaway and homeless youth reported being physically abused, 38% reported being emotionally abused, and 17% reported being forced into unwanted sexual activity by a family or household member.<sup>xviii</sup>

Thus, for girls who are victims of abuse and trauma, running away or staying out past curfew may be less an act of rebellion and more an attempt at self-preservation. Research, however, shows that the juvenile justice system continues to take a paradoxical stance towards girls: expressing a desire to protect them from themselves and others while at the same

time punishing them for behaviors deemed deviant or defiant, without making the connection between the behaviors and the underlying causes.<sup>xix</sup> Without understanding this connection, laws, policies, and practices may inadvertently criminalize girls' reasonable response to flagrant and continual victimization.

#### IV. GIRLS, STRUCTURAL RACISM, AND IMPLICIT BIAS

The problems of differential treatment are particularly acute for girls of color. In general, youth of color are far more likely to be petitioned for a status offense than their white counterparts. Between 1995 and 2006, the runaway case rate for African American youth increased 61% while the rate fell 27% for white youth.<sup>xx</sup> In 2009, the runaway case rate for African American youth was more than 3 times the rate for white youth, and the ungovernability case rate for African American youth was more than twice the rate for white youth.<sup>xxi</sup> If formally adjudicated, African American girls are three times more likely, and Native American girls are four times more likely, to be placed outside of the home as compared to their white counterparts.<sup>xxii</sup> Native American girls are detained nine times as often for status offenses than their white counterparts; Hispanic girls are detained almost twice as often.<sup>xxiii</sup>

IF FORMALLY ADJUDICATED, AFRICAN AMERICAN GIRLS ARE THREE TIMES MORE LIKELY, AND NATIVE AMERICAN GIRLS ARE FOUR TIMES MORE LIKELY, TO BE PLACED OUTSIDE OF THE HOME AS COMPARED TO THEIR WHITE COUNTERPARTS.

There are at least two explanations for why girls of color receive disparate treatment when they are

petitioned for a status offense. One explanation is structural racism. Structural racism is defined as any set of laws, policies, rules, or practices that have the intention or effect of treating people of color more harshly than whites, or denying people of color access to the same opportunities and resources as whites. Unlike overt racism, which tends to lie in the malicious actions of an individual or group, structural racism is embedded in the system itself. As such, it can be hard to identify until the disparate outcome materializes. For example, laws that mandate the filing of truancy petitions after a certain number of school absences, intended to hold students and parents accountable to compulsory attendance laws, can inadvertently target pregnant and parenting girls of color who have higher teen pregnancy and birth rates than their white counterparts and who may miss school as a result.<sup>xxiv</sup>

Another explanation for why girls of color receive disparate treatment when they are petitioned for a status offense is implicit bias. Implicit bias is a subtle and more pervasive form of bias that people hold against others simply because they belong to a particular group, defined by race or other immutable factors.<sup>xxv</sup> As opposed to overt acts of discrimination, implicit bias takes the form of unconscious attitudes and motivations that are deep-rooted, automatic, and invisible to the person who holds them.<sup>xxvi</sup>

Consequently, people are not even aware that their actions are biased. To them, their actions are rational and justified. With regards to girls of color, the implicit bias can manifest as one of both race and gender:

There is reason to believe that juvenile justice officials are not performing individualized, contextual assessments of

girls of color. Instead of relying on their discretion to examine girls holistically, our current system treats them—as a group—as already a social problem. There is virtually no effort to understand how significantly the circumstances under which girls of color live create pathways to the system.<sup>xxvii</sup> More concretely, actors in the juvenile justice system are likely to view girls of color and Black girls in particular as delinquents—as social problems themselves rather than as young girls affected by social problems.<sup>xxviii</sup>

In other words, implicit bias can work to render juvenile justice actors blind to each individual girl's unique set of struggles, needs, potential, and strengths. Rather, they see only her gender, her color or both, along with all attendant stereotypes, beliefs, and preconceived notions.

## V. YOU CAN'T JUST PAINT IT PINK

Girls and boys come into contact with the juvenile court for similar reasons. Research shows that they both tend to share lower socioeconomic status, disrupted family backgrounds, and difficulties in school.<sup>xxix</sup> There are, however, key differences between girls and boys that have significant implications for how to effectively respond to girls who come into contact with the courts.

The pathways girls take into the justice system differ from those of their male counterparts in the prevalence and type of trauma, family loss, and separation they experience.<sup>xxx</sup> Research shows that court-involved girls and young women have disproportionately high rates of victimization, particularly incest, rape, and battering.<sup>xxxi</sup> Court-involved girls also differ from court-involved boys in that they tend to be more relationship-oriented, and to internalize responses to trauma in the form of depression, self-mutilation, and substance use.<sup>xxxii</sup>

## JUDICIAL LEADERSHIP IN NEVADA

Judge Frances Doherty credits three separate yet related catalysts with reforms that Washoe County has implemented in support of youth charged with status offenses: Annie E. Casey's Juvenile Detention Alternatives Initiative (JDAI), leadership of Washoe County Juvenile Services, and an emerging and shared desire among system stakeholders to reduce detention rates in Washoe County.

These three factors provided the impetus for the Washoe County court and Juvenile Services to begin implementing JDAI in 2003. They created a stakeholder group that included four law enforcement agencies, prosecutors, defenders, nonprofits, and school districts. Using JDAI principles, the court services personnel and judges triaged the cases that came before them. In 2006, the group adopted a targeted focus on female status offenders. With the assistance of Fran Sherman, a visiting professor at Boston College Law School and a specialist on girls in the juvenile justice system, the Washoe County court evaluated its programs and decision points with a specific focus on the needs of girls. The evaluation revealed higher detention rates for girls for lower level offenses than boys, and showed that girls charged with status offenses remained on probation longer than boys.

To address girls' issues and broaden detention reform efforts, the court revised its detention risk assessment instrument, and implemented a "no exception to the 'no detention rule'" for youth charged with status offenses. The risk assessment instrument serves to advise rather than mandate decisions and the court retains its power to make final decisions about whether or not to detain. Since the revision, overrides when risk assessment findings recommend no detention have decreased by 50 percent. The court also contracted with a nonprofit provider for non-secure beds as a placement alternative to detention, and established a protocol with local law enforcement agencies to "cite and release" youth alleged to have committed status or low-risk offenses. In the event that an officer is not comfortable taking a child home, they have the option to take the child to a non-secure placement.

After eight years, JDAI is a central part of the fabric of broader juvenile justice system reform in Washoe County and around the state. As of August 2011, Washoe County was using only 39 of 72 available detention beds and had closed a unit.

In addition, and as mentioned above, the juvenile justice responds to girls differently than it does boys. When they come into contact with the courts, girls are more likely than boys to be detained for minor offenses and technical violations and are more likely than boys to be returned to detention for technical violations. Running away and behavioral responses to domestic violence that manifest as ungovernability – both of which are more common among girls – also tend to lead to system involvement and locked detention.<sup>xxxiii</sup>

For these reasons, effectively responding to girls who in engage in status offense behaviors and who come into contact with the courts must involve more than just taking elements of responses developed with boys in mind and changing a few things to make them suitable for girls. This is the message underlying “You Can’t Just Paint it Pink,” a video and training manual produced by the Delaware Girls Initiative to help system workers, including judges, lawyers, and case managers, untangle and explore ways to better address the complex needs girls bring to the system.<sup>xxxiv</sup> The video highlights the fact that:

- The juvenile justice system was originally designed to deal with the problems of boys and young men and, in doing so, neglected the gender-specific programming and treatment needs of girls and young women;<sup>xxxv</sup> and
- Girls respond differently than boys to program interventions and treatment, and these differences require separate research and planning to meet the needs of girls enmeshed in a system designed to manage and serve a predominately male population.<sup>xxxvi</sup>

While a federal focus on girls in the juvenile system has spurred research and program development in the field (discussed in more detail below), the availability

of gender-specific interventions for girls still lags well behind the availability of interventions originally designed with boys in mind. Among those programs that do exist, it is unclear whether they are meeting girls’ specific needs. In 2008, a Girls Study Group convened by the federal Office of Juvenile Justice and Delinquency Prevention (OJJDP) reviewed 61 gender-responsive programs across the United States and found that only 17 had been evaluated by federal or state authorities, with none meeting the OJJDP’s criteria for “effectiveness.”<sup>xxxvii</sup>

## VI. TOWARD A LESS PUNITIVE AND MORE EMPOWERING APPROACH

Like the girls themselves, system responses to girls who engage in status-offending behaviors must be multi-layered and individualized. As aforementioned, a continuum of gender-responsive programs and practices that have been evaluated for their effectiveness are key to ensuring that girls receive the attention and treatment they need. The continuum, however, must be driven and undergirded by a matrix of federal, state, and local laws and policies that diverts girls from the courts in the first instance, and limits their system involvement to the greatest extent possible when a petition is filed.

RESEARCH SHOWS THAT COURT-INVOLVED GIRLS AND YOUNG WOMEN HAVE DISPROPORTIONATELY HIGH RATES OF VICTIMIZATION, PARTICULARLY INCEST, RAPE, AND BATTERING.

In keeping with its original purpose, the JJDPA has helped to focus the federal government’s response to girls in the delinquency system. The 1992 reauthorization included a requirement that states

analyze their juvenile justice system’s provision of “gender-specific services” to female offenders and plan the delivery of gender-specific treatment and prevention services. The 2002 reauthorization went a step further to require that state plans include, “a plan for providing needed gender-specific services for the prevention and treatment of juvenile delinquency” and “. . . assurance that youth in the juvenile justice system are treated equitably on the basis of gender . . . .”<sup>xxxviii</sup>

Since that time, different state and local jurisdictions have implemented common sense and innovative reforms that positively impact the entire population of youth who come or are at risk of coming to the attention of the courts because of a status offense.

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41% AND 40%, RESPECTIVELY.

Given their overrepresentation among status offense cases, these reforms also go a long way to divert girls who engage in status offense behaviors away from the court, limit their involvement if a petition is filed, and prohibit their locked detention.

Several judicial-led reforms are highlighted in the Coalition for Juvenile Justice’s 2012 report, *Positive Power: Exercising Judicial Leadership to Prevent Court Involvement and Incarceration of Non-Delinquent Youth*. Among the highlights are Connecticut’s elimination of the Valid Court Order (VCO) exception and diversion of status offenses from the juvenile court in the first instance, and Jefferson County, Alabama Family Court’s protocol to prevent parents from directly filing

petitions for ungovernability until they have exhausted non-judicial alternatives. In the first year alone, these reforms reduced the number of status offense referrals to the court by 41% and 40%, respectively.<sup>xxxix</sup>

Other policy reform examples can be found in Florida, New York and, most recently, Georgia. In Florida, the Department of Juvenile Justice (DJJ) contracts with the Florida Network of Youth and Family Services, Inc., to oversee Florida’s Families in Need of Services (FINS) system and provide non-judicial interventions to families when their child is skipping school, running away, or otherwise acting out. Families can seek out the intervention themselves, or be referred by law enforcement or school staff. The key to Florida’s approach is that no status offense petition or other referral to the court is needed to trigger the intervention. Under Florida law, only if FINS interventions are insufficient to address the family crisis may a case be referred to the juvenile court. Between 2006 and 2008, only about 6 percent of Florida FINS cases were petitioned to court. In addition, by diverting youth from court, Florida’s approach saved the state between \$31.2 million and \$37 million in fiscal year 1997-1998.<sup>xl</sup>

In 2005, New York adopted legislation to strengthen diversion requirements for status offense cases, discourage status offense petitions, and narrow the circumstances under which youth petitioned for a status offense may lawfully be detained. Within one year, court petitions for status offenses decreased by almost 41 percent, and admissions of status offenders to non-secure detention facilities fell by 39 percent.<sup>xli</sup>

In May 2013, Georgia re-wrote its juvenile code to classify youth previously petitioned for a status offense as Children in Need of Services (CHINS).<sup>xiii</sup> While not as strong as the legislation in Connecticut or Florida, the new Georgia law begins a re-framing of this youth population from one in need of sanctions to one in need of services apart from the courts.

## VII. CONCLUSION – IMPLICATIONS FOR FURTHER JUVENILE JUSTICE REFORM

Since 2011, the CJJ “Safety, Opportunity & Success (SOS): Standards of Care for Non-Delinquent Youth Project” (“SOS Project”) has engaged multiple stakeholders to guide states in implementing policies and practices that divert non-delinquent youth from juvenile courts and locked confinement to connecting them with family- and community-based systems of care that can more effectively meet their needs.

Through this project, CJJ collaborated with advisors

from a variety of disciplines to develop the National Standards for the Care of Youth Charged with Status Offenses (“the National Standards”). The National Standards take into account several key components that could help state and local jurisdictions, as well as the federal government, apply current and emerging knowledge about girls and their specific developmental, physical, and emotional needs. Further, the National Standards reframe the conversation about status offenders away from *how* the juvenile justice system ought to be involved with girls who engage in status behaviors toward *whether* the juvenile justice system ought to be involved with this population. In so doing, the National Standards provide a framework that could help eliminate the disproportionate and potentially harmful response systems tend to have toward girls who engage in behaviors deemed to be status offenses.

## Coalition for Juvenile Justice | SOS Project

Safety, Opportunity & Success (SOS): Standards of Care for Non-Delinquent Youth



To learn more, or to get involved in the Coalition for Juvenile Justice Safety, Opportunity & Success: Standards of Care for Non-Delinquent Youth Project, or to get a copy of the National Standards for the Care of Youth Charged with Status Offense:

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<sup>i</sup> Puzzanchera, Charles, Benjamin Adams, and Sarah Hockenberry. 2012. *Juvenile Court Statistics 2009*. Pittsburgh, PA: National Center for Juvenile Justice.

<sup>ii</sup> In most states, the legal age of majority for status offense purposes is 18. The notable exceptions are South Carolina, Texas, and Wyoming, where the age of majority for status offense purposes is 17. OJJDP Statistical Briefing Book, Juvenile Justice System Structure & Process, Upper and lower age of juvenile court delinquency and status offense jurisdiction, 2012. Available at [http://www.ojjdp.gov/ojstatbb/structure\\_process/qa04102.asp?qaDate=2012](http://www.ojjdp.gov/ojstatbb/structure_process/qa04102.asp?qaDate=2012).

<sup>iii</sup> Puzzanchera, et al., *supra* note 1.

- iv *Id.*
- v *Id.*
- vi *Id.*
- vii *Id.*
- viii Annie E. Casey Foundation, *Making Detention Reform Work for Girls*. (Baltimore, MD: 2013).
- ix Francine T. Sherman. 2005. *Pathways to Juvenile Detention Reform: Detention Reform and Girls*. Baltimore, MD: Annie E. Casey Foundation.
- x Lisa Pasko, "Damaged Daughter: the history of girls' sexuality and the juvenile justice system," *Journal of Criminal Law and Criminology*. 100.3 (2010): 1099-1130, 1100.
- xi *Id.*
- xii Sherman, *supra* note 9.
- xiii Puzzanchera, et al., *supra* note 1.
- xiv Pasko at 1102.
- xv NCCD Center for Girls and Women. *Getting the Facts Straight About Girls in the Juvenile Justice System*. (Oakland, CA: 2009).
- xvi Dana D. DeHart, Ph.D., "Poly-victimization Among Girls in the Juvenile Justice System: Manifestations & Associations to Delinquency," report submitted to the National Institute of Justice, October 2009. Available at <https://www.ncjrs.gov/pdffiles1/nij/grants/228620.pdf>.
- xvii Barbara E. Bloom and Stephanie S. Covington, "Effective Gender-Responsive Interventions in Juvenile Justice: Addressing the Lives of Delinquent Girls," paper presented at the 2001 Annual Meeting of the American Society of Criminology, Atlanta, Georgia, November 7-10, 2001. Available at <http://centerforgenderandjustice.org/pdf/7.pdf>.
- xviii National Coalition for the Homeless. *Homeless Youth Fact Sheet*. (Washington, D.C.: 2008). Available at <http://www.nationalhomeless.org/factsheets/youth.pdf>.
- xix Pasko at 1112.
- xx Puzzanchera, et al., *supra* note 1.
- xxi *Id.*
- xxii NCCD Center for Girls and Women, *supra* note 14.
- xxiii *Id.*
- xxiv U.S. Department of Health and Human Services. Office of Adolescent Health. *Trends in Teen Pregnancy and Childbearing*. Washington, D.C. Available at <http://www.hhs.gov/ash/oah/adolescent-health-topics/reproductive-health/teen-pregnancy/trends.html>.
- xxv Cheryl Staats. *Implicit Bias Review 2013*. Kirwan Institute for the Study of Race and Ethnicity, The Ohio State University. (Columbus, OH: 2013).
- xxvi *Id.*
- xxvii Jyoti Nanda, "Blind Discretion: Girls of Color and Delinquency in the Juvenile Justice System," *UCLA Law Review*. 59 (2012). 1502-1539.
- xxviii *Id.* at 1507.
- xxix Bloom and Covington, *supra* note 16.
- xxx Sherman, *supra* note 9.
- xxxi Bloom and Covington, *supra* note 16.
- xxxii Sherman, *supra* note 9.
- xxxiii *Id.*
- xxxiv DVD: You Can't Just Paint It Pink, Scott Michaels, Denise Bray and Chandlee Johnson Kuhn (Delaware Girls Initiative, 2010).
- xxxv Bloom and Covington, *supra* note 16
- xxxvi *Id.*
- xxxvii Liz Watson and Peter Edelman. 2012. *Improving the Juvenile Justice System for Girls: Lessons from the States*. Washington, D.C.: Georgetown Center on Poverty, Inequality and Policy.
- xxxviii Sherman, *supra* note 9.
- xxxix Sarah Mogulescu and Gaspar Caro. 2008. *Making Court the Last Resort: A New Focus for Supporting Families in Crisis*. New York, NY: Vera Institute for Justice; data provided by the Jefferson County Family Court, Birmingham, AL in 2011.
- xl Mogulescu and Caro, *supra* note 38.
- xli Mogulescu and Caro, *supra* note 38.
- xlii Chapter 11, Title 15 O.C.G.A.